

Sec. 2. **RETROACTIVE APPLICABILITY.** This Act is retroactively applicable to December 1, 1992, and is applicable on and after that date.

Approved March 9, 1993

CHAPTER 10

UNEMPLOYMENT COMPENSATION — EXTENDED BENEFITS

H.F. 329

AN ACT relating to state work search requirements to qualify for extended unemployment benefits and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 96.29, subsection 2, Code 1993, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. This subsection shall not apply to claims for extended benefits for weeks of unemployment beginning March 6, 1993, and ending before January 1, 1995, or if otherwise prohibited by federal law.

Sec. 2. **EFFECTIVE DATE.** This Act applies retroactively to March 6, 1993.

Approved March 9, 1993

CHAPTER 11

ENERGY CONSERVATION TRUST

S.F. 74

AN ACT relating to the reestablishment of an energy conservation trust, providing for retroactive applicability, and providing for a repeal of the Act.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 473.11 ENERGY CONSERVATION TRUST ESTABLISHED — RECEIPTS AND DISBURSEMENTS.**

1. a. The energy conservation trust is created within the state treasury. This state, on behalf of itself, its citizens, and its political subdivisions accepts any moneys awarded or allocated to the state, its citizens, and its political subdivisions as a result of the federal court decisions and United States department of energy settlements resulting from alleged violations of federal petroleum pricing regulations and deposits the moneys in the energy conservation trust.

b. The energy conservation trust is established to provide for an orderly, efficient, and effective mechanism to make maximum use of moneys available to the state, in order to increase energy conservation efforts and thereby to save the citizens of this state energy expenditures. The moneys in the funds in the trust shall be expended only upon appropriation by the general assembly and only for programs which will benefit citizens who may have suffered economic penalties resulting from the alleged petroleum overcharges.

c. The moneys awarded or allocated from each court decision or settlement shall be placed in a separate fund in the energy conservation trust. Notwithstanding section 12C.7, interest

and earnings on investments from moneys in the trust shall be credited proportionately to the funds in the trust.

d. Unless prohibited by the conditions applying to a settlement, the petroleum overcharge moneys in the energy conservation trust may be used for the payment of attorney fees and expenses incurred by the state to obtain the moneys and shall be paid by the director of revenue and finance from the available moneys in the trust subject to the approval of the attorney general.

e. However, petroleum overcharge moneys received pursuant to claims filed on behalf of the state, its institutions, departments, agencies, or political subdivisions shall be deposited in the general fund of the state to be disbursed directly to the appropriate claimants in accordance with federal guidelines and subject to the approval of the attorney general.

f. The moneys deposited in the energy research and development fund shall be used for research and development of selected projects to improve Iowa's energy independence by developing improved methods of energy efficiency, or by increased development and use of Iowa's renewable nonresource-depleting energy resources. The moneys credited to the fund under section 556.18 shall be used for energy conservation and alternative energy resource projects. The projects shall be selected by the director and administered by the department. Selection criteria for funded projects shall include consideration of indirect restitution to those persons in the state in the utility customer classes and the utility service territories affected by unclaimed utility refunds or deposits.

Notwithstanding the provisions of this paragraph directing that moneys be deposited into the energy research and development fund, for the fiscal period beginning July 1, 1991, and ending June 30, 1993, all moneys shall be deposited into the general fund of the state.

2. The treasurer of state shall be the custodian of the energy conservation trust and shall invest the moneys in the trust, in consultation with the energy fund disbursement council established in subsection 3 and the investment board of the Iowa public employees' retirement system, in accordance with the following guidelines:

a. To maximize the rate of return on moneys in the trust while providing sufficient liquidity to make fund disbursements, including contingency disbursements.

b. To absolutely insure the trust against loss.

c. To use such investment tools as are necessary to achieve these purposes.

3. An energy fund disbursement council is established. The council shall be composed of the governor or the governor's designee, the director of the department of management, who shall serve as the council's chairperson, the administrator of the division of community action agencies of the department of human rights, the administrator of the energy and geological resources division of the department of natural resources, and a designee of the director of transportation, who is knowledgeable in the field of energy conservation. The council shall include as nonvoting members two members of the senate appointed by the president of the senate, after consultation with the majority leader and the minority leader of the senate, and two members of the house of representatives appointed by the speaker of the house, after consultation with the majority leader and the minority leader of the house. The legislative members shall be appointed upon the convening and for the period of each general assembly. Not more than one member from each house shall be of the same political party. The council shall be staffed by the energy and geological resources division of the department of natural resources. The attorney general shall provide legal assistance to the council.

The council shall do all of the following:

a. Oversee the investment of moneys deposited in the energy conservation trust.

b. Make recommendations to the governor and the general assembly regarding annual appropriations from the energy conservation trust.

c. Work with the energy and geological resources division in adopting administrative rules necessary to administer expenditures from the trust, encourage applications for grants and loans, review and select proposals for the funding of competitive grants and loans from the energy conservation trust, and evaluate their comparative effectiveness.

- d. Monitor expenditures from the trust.
 - e. Approve any grants or contracts awarded from the energy conservation trust in excess of five thousand dollars.
 - f. Prepare, in conjunction with the energy and geological resources division, an annual report to the governor and the general assembly regarding earnings of and expenditures from the energy conservation trust.
4. The administrator of the energy and geological resources division of the department of natural resources shall be the administrator of the energy conservation trust. The administrator shall disburse moneys appropriated by the general assembly from the funds in the trust in accordance with the federal court orders, law and regulation, or settlement conditions applying to the moneys in that fund, and subject to the approval of the energy fund disbursement council if such approval is required. The council, after consultation with the attorney general, shall immediately approve the disbursement of moneys from the funds in the trust for projects which meet the federal court orders, law and regulations, or settlement conditions which apply to that fund.
5. The following funds are established in the energy conservation trust:
- a. The Warner/Imperial fund.
 - b. The Exxon fund.
 - c. The Stripper Well fund.
 - d. The Diamond Shamrock fund.
 - e. The office of hearings and appeals second-stage settlement fund.
 - f. The energy research and development fund.
6. The moneys in the fund in the energy conservation trust distributed to the state as a result of the federal court decisions finding oil companies in violation of federal petroleum pricing regulations shall be expended expeditiously, until all the receipts are depleted and shall be disbursed for projects which meet the strict guidelines of the five existing federal energy conservation programs specified in Pub. L. No. 97-377, § 155, 96 Stat. 1830, 1919 (1982). The council shall approve the disbursement of moneys from the fund in the trust for other projects only if the projects meet one or more of the following conditions:
- a. The projects meet the guidelines for allowable projects under a modification order entered by the federal court in the case involving Exxon corporation.
 - b. The projects meet the guidelines for allowable projects under a directive order entered by the federal court in the case involving Exxon corporation.
 - c. The projects meet the guidelines for allowable projects under the regulations adopted or written clarifications issued by the United States department of energy.
 - d. The projects meet the guidelines for allowable projects under the petroleum violation settlement agreement expenditure plan approved by the United States department of energy.

Sec. 2. RETROACTIVE APPLICATION. This bill applies retroactively to June 30, 1992.

Sec. 3. REPEAL. This Act is repealed June 30, 2000.

Approved March 15, 1993

CHAPTER 12
JUVENILE JUSTICE SYSTEM STUDY
S.F. 20

AN ACT relating to the completion dates of the juvenile justice system study, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. 1992 Iowa Acts, chapter 1231, section 68, is amended to read as follows:

SEC. 68. JUVENILE JUSTICE STUDY. The legislative council is requested to negotiate a contract with the Annie E. Casey Foundation to conduct a comprehensive study concerning the delivery of services to juveniles involved in delinquency proceedings. The study shall examine the types of placements for juveniles adjudicated delinquent, taking into consideration the effectiveness of the placements in meeting the needs of juveniles and the cost-effectiveness of the programs. The study shall be completed and a report containing recommendations shall be submitted to the general assembly no later than March 1, 1993. A preliminary report on the progress of the study, which contains preliminary findings, shall be submitted to the juvenile justice system study committee no later than March 30, 1993, and the final report containing findings and recommendations shall be submitted to the legislative council no later than June 30, 1993.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 18, 1993

CHAPTER 13
FORESTS AND FORESTRY MANAGEMENT
H.F. 387

AN ACT relating to the receipt and expenditure of federal forest and forest management funds.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 456A.24, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 13. Apply to any appropriate agency or officer of the United States government to participate in or receive aid from any federal program relating to forests or forestry management. The department may enter into contracts and agreements with the United States government or an appropriate agency of the United States government as necessary to secure funding for the acquisition, development, improvement, and management of forests and forestry resources and to provide funds or assistance to local governments or private citizens involved in forestry management. In connection with obtaining the benefits of a forestry program, the director shall coordinate the department's activities with and represent the interests of all state agencies and the political subdivisions of the state having interests in forests or forestry management.

Approved March 19, 1993